REMARKS

This Amendment and Response is believed to be responsive to the Office Action mailed on April 27, 2005. In that action, a drawing, namely Figure 5, was objected to as failing to comply with 37 CFR 1.84(p)(5); Figures 4a-4d and 7 were objected to for lack of labeling; the disclosure and claims 10 and 34 were objected to because of informalities; claims 12-14 and 36-38 were rejected as being indefinite under 35 U.S.C. 112, second paragraph; claims 1-3, 5-11, 25-27 and 29-35 were rejected under 35 U.S.C. 102(e) as being anticipated by Coward (USPN 6,633,899); claims 4, 12-16, 19-24, 28, 36-40 and 43-48 were rejected under 35 U.S.C. 103(a) as being unpatentable over Coward in view of Lerner (US Patent App. Pub. 2002/0010776); claims 17, 18, 41 and 42 were rejected under 35 U.S.C. 103(a) as being unpatentable over Coward in view of Pandya et al (USPN 6,671,724).

The description has been amended as suggested to indicate that the distributed message broker (DMB) includes numbers for example 310, 312, and 314, not 312-314 inclusive, when referring to Figure 8. Further, Figures 4a-4d, 5, and 7 have been amended to include numbers for various elements included in the Figures and the specification has been amended to include those numbers as well.

As suggested was necessary to overcome the informality objection, claims 10 and 34 have been amended to include the appropriate verb. Claims 12 and 36 have been amended as suggested by removing an unnecessary "the" from each claim. Claims 13, 14, 37 and 38 are believed to also overcome the 35 U.S.C. 112, second paragraph, rejection as well because that rejection depended on the 35 U.S.C. 112, second paragraph, rejection of claims 12 and 36, respectively.

IN THE DRAWINGS:

Please replace the drawings sheets containing Figures 4a, 4b, 4c, 4d, 5, and 7 with the attached replacement sheets.

Claim 1 has been amended to include the limitation of a plurality of communication networks and part of the limitations originally included in claim 19. Claims 15-19 have been amended to be consistent with claim 1 as amended. Claim 25 has been amended to include the limitation of a plurality of communication networks and part of the limitations originally included in claim 43. Claims 39-43 have been amended to be consistent with claim 25 as amended.

Applicant respectfully submits the above changes to the description and Figures address and overcome the objections in the office action. In addition, Applicant submits that all claims as amended are in allowable form. Reconsideration of the rejections is hereby requested.

Coward appears to teach a broker 106 through which entities relevant to a software installation and configuration process may communicate. However, Coward fails to disclose, among other things, a message broker, much less a message broker configured to provide message processing between a plurality of system entities over a plurality of communications networks and a plurality of communications domains, as is required by claim 1.

Regarding claim 1, Applicant submits that the definition of broker as used by Coward limits Coward's disclosure of a broker to much less than the message broker of Applicant's invention. The broker disclosed by Coward, even in its broadest construction, falls far short of the message broker claimed by Applicant because, among other things, Coward's broker is not configured to transmit point-to-point communications. As disclosed by Coward, the broker stores information via maintaining a number of flags and/or state variables and then creates messages to distribute to listeners depending on whether the listeners want to be notified and are entitled to be notified of such a change (see e.g. Column 4, Lines 31-33; Column 5, Lines 34-37). Specifically, the broker, as disclosed by Coward, receives messages, reads them, changes its state

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depending on the message contents, and then broadcasts its state to entities depending on which entities want to be notified and are entitled to be notified (see e.g. Figures 3, 4; Column 4, Lines 23-38, and Lines 46-48). Coward emphasizes this distinction several times, teaching that the client and server communicate through the state machine of a broker (e.g. Column 3, Lines 37-39 and Column 4, Lines 35-38). Applicant submits that this is distinct and separate from communicating through messages processed by a message broker as required by claim 1. Thus, Coward's broker, while it may broker information, does so by receiving messages itself, performing a rudimentary state-machine function, and then creating a new message. It is, therefore, not a message broker as disclosed by Applicant, and falls far short of the message broker in Applicant's invention.

This distinction is further supported by Coward's repeated emphasis that the broker manages a specific process. A broker is created when a process is initiated (Step 302) and, after the process is completed, that broker is deleted (Step 328). Coward teaches that, "The present invention provides methods and apparatus for dynamically and incrementally providing feedback throughout a process being performed on a remotely located server, thereby enabling multiple parties to manage a single process" (Column 3, Lines 27-31). Further, the broker taught by Coward utilizes a state machine with flags indicated cancelled, error and pause states (see e.g. Column 8, Line 16 through Column 9, Line 15 and steps 410, 412, 418 and 424). An error flag or a cancelled flag, for example, are only relevant if the broker is process-specific as the flags reference information about a particular process. Thus, the broker taught by Coward is a transient servant to the process being performed by the server and, for this reason as well as the reasons stated above, the broker falls far short of the message broker of Applicant's invention.

Furthermore, Coward fails to disclose a distributed message broker connectable to a plurality of network system entities across of a plurality of communications networks. Rather, Coward discloses a network 1014 but does not disclose a second network, much less messages being transmitted between the network and a second network. Indeed, Coward as cited by the Examiner, teaches "the CPUs 104 optionally may be coupled to a computer or telecommunications network, e.g., an internet network or an intranet network, using a network connection as shown generally at 1014" (Column 10, Line 37-40), thus teaching operation on one network and fails there and elsewhere to teach a method or system for the exchange of messages across a plurality of communications networks.

The Examiner rejected claim 19, the original source of the limitation in claim 1 as amended of operation across a plurality of communications domains, as unpatentable over Coward in view of Lerner. However, the Examiner failed to note the passage of Coward or Lerner that reads on that limitation. Regardless, both Coward and Lerner fail in their entirety to teach, among other things, either a message broker or providing inter-message distributions across a plurality of communications domains, much less a message broker adapted to provide such distributions.

Specifically, Coward fails to disclose operability between communications domains and further does not contain the word "domain" at all. As noted above, Coward teaches operation on one network and fails there and elsewhere to teach a method or system for the exchange of messages across a plurality of communications networks. Therefore, Coward does not teach inter-message distributions between domains even in function, much less in name.

Additionally, Lerner fails to disclose a plurality of domains much less a single domain that reads on Applicant's domain. Lerner teaches an invention that resides on a central server

domain and receives indication from a user's browser of the user desiring access a particular application. Further, as used by Lerner, the domain resides within a network with congruent application, interface and services layers. Lerner references that the domain could be within the Internet and the domain could be schwab.com (see e.g. paragraphs 0033-0035, 0037, 0041). Thus, Lerner teaches a meaning of domain such that, even if there needed to be message data translation between domains it would be due to differences of applications resident on them (see e.g. paragraph 0049). Thereby Lerner fails to disclose the inter-message distributions across a plurality of communications domains of the present invention. In addition, each domain disclosed by Lerner is associated with a central server, a web address such as schwab.com, or a domain name (see e.g. paragraphs 0033-0035, 0037, 0041). Thus, a domain as taught by Lerner is more analogous to a network entity as used by Coward and Applicant, as opposed to a domain as taught by Applicant. Therefore, Lerner teaches away from inter-message distributions across a plurality of communications domains.

Applicant submits that for the above reasons, claim 1 as amended is in allowable form. Applicant also submits that claims 2-24 are in allowable form because they depend upon claim 1.

Regarding claim 25, Applicant submits that Coward fails to disclose, among other things, a method of configuring a message broker, much less configuring a message broker to establish connections with a plurality of system entities over a plurality of communications networks and a plurality of communications domains. Thus Applicant submits that claim 25 as amended is in allowable form. In support of this, Applicant references and resubmits for claim 25 the arguments above regarding the distinctions in claim 1 from the disclosures of both Coward and Lerner. Further, Applicant submits that claims 26-48 are in allowable form because they depend on claim 25.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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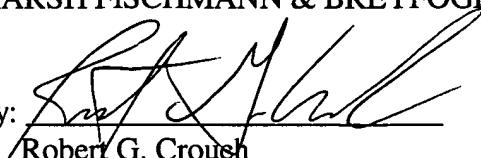
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